

STATE OF
COLORADO

West - DNR, Lucas <lucas.west@state.co.us>

Sunday Mines Petition to Intervene--NOTICE OF Zoom Hearing on Petition

Fred Aldrich <faldrich@aldrich-law.com>

Mon, Apr 13, 2020 at 5:25 PM

To: Jeff Fugate <Jeff.Fugate@coag.gov>, wmap@igc.org

Cc: russ.means@state.co.us, "Marshall - DNR, Travis" <travis.marshall@state.co.us>, "West - DNR, Lucas" <lucas.west@state.co.us>, camille.mojar@state.co.us, stills@frontier.net

Dear Jeff:

Attached is my entry of appearance and motion to continue the virtual hearing scheduled for April 22, 2020 for the reasons set forth in the Motion. I would appreciate your giving me a call at your earliest convenience.

Hers's hoping everyone on this email are doing well.

Frederick G. Aldrich

ALDRICH LAW FIRM, LLC

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This email and its attachments are confidential and may contain privileged communication or information. Your cooperation is requested to delete or destroy all copies of this email and its attachments in the event you have received this email in error or are not the intended recipient. Please also promptly notify Frederick G. Aldrich at faldrich@aldrich-law.com of this error. Thank you for your cooperation.

From: Jeff Fugate <Jeff.Fugate@coag.gov>**Sent:** Friday, April 10, 2020 3:23 PM**To:** faldrich@aldrich-law.com; wmap@igc.org**Cc:** russ.means@state.co.us; Marshall - DNR, Travis <travis.marshall@state.co.us>; West - DNR, Lucas <lucas.west@state.co.us>**Subject:** Sunday Mines Petition to Intervene--NOTICE OF Zoom Hearing on Petition

RE: Sunday Mine, M-1977-285; Carnation Mine M-1977-416; M-1978-039 St. Jude Mine; M-1980-055-HR Topaz Mine; M-1981-021 West Sunday Mine, Notice of Receipt of Petition to Intervene

[Quoted text hidden]

Entry of Appearance and Motion to Continue Hearing 041320.pdf

4/16/2020

State.co.us Executive Branch Mail - Sunday Mines Petition to Intervene--NOTICE OF Zoom Hearing on Petition



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BEFORE THE MINED LAND RECLAMATION BOARD
STATE OF COLORADO

IN THE MATTER OF PINION RIDGE MINING COMPANY, LLC

Permit Nos. M-1978-039 (St. Jude Mine), M-1981-021 (West Sunday Mine), M-1980-055HR, M-1980-055HR (Topaz Mine), M-1977-285 (Sunday Mine) and M-1977-416 (Carnation Mine)

ENTRY OF APPEARANCE AND MOTION TO CONTINUE VIRTUAL HEARING
SCHEDULED FOR APRIL 22, 2020

ENTRY OF APPEARANCE: Aldrich Law Firm, LLC, by Frederick G. Aldrich, Esq., enters its appearance on behalf of Pinion Ridge Mining, LLC.

MOTION TO CONTINUE HEARING: Pinion Ridge Mining, LLC (“PRM”), by the undersigned counsel, requests that the Mined Land Reclamation Board’s (“Board”) virtual hearing in the above matter now scheduled for April 22, 2020 be continued from April 22, 2020 until after the Colorado Department of Health and the Environment (CDPHE), Public Health Order No. 20-24 (the “Stay at Home Order”) expires on April 26, 2020 or, if the Stay at Home Order is extended, until the Stay at Home Order is lifted.

As grounds, PRM states:

1. The CDPHE has issued four updates to its Stay at Home Order because of the Covid-19 pandemic. The current Stay at Home Order expires April 26, 2020. The Stay at Home Order means persons are to stay at home except for necessary activities, minimum basic operations, critical government functions and critical businesses.
2. The President of PRM is George Glasier. Mr. Glasier lives outside of Nucla, Colorado in the west end of Montrose County. He is observing the Stay at Home Order.
3. Although Mr. Glasier has Internet service to his residence, the Internet service is unreliable, intermittent and slow. He cannot connect with Zoom or effectively participate in a virtual hearing through the Internet. For Mr. Glasier to participate, he would be required to attend the hearing at a location that violates the Stay at Home Order.
4. As the President of PRM, Mr. Glasier oversees all phases of PRM’s mining activities and has knowledge of its mining activities relevant to the issues regarding cessation and resumption of mining activities for the Sunday mine complex.

5. Mr. Glasier's full participation at the hearing is critical to the interests of PRM. PRM would be prejudiced by Mr. Glasier's inability to attend in person.
6. This matter has been continued twice from March 25-26, 2020 to April 22-23, 2020 and from April 22-23, 2020 to May 13-14, 2020. It was re-scheduled back to April 22, 2020 as a virtual hearing by email dated April 10, 2020.
7. PRM submits that neither the Board nor the parties seeking intervention will be adversely affected by this request for continuance considering the Stay at Home Order and the extraordinary circumstances of the Covid-19 pandemic.

RELIED REQUESTED:

PRM asks the Board to vacate the virtual hearing scheduled for April 22, 2020 until the Stay at Home Order expires on April 26, 2020 or, if extended, until the Stay at Home is lifted.

DATED: April 13, 2020.

ALDRICH LAW FIRM, LLC

s/ Frederick G. Aldrich, Reg. No. 428

Attorney for Pinion Ridge Mining, LLC

601A 28 ¼ Road

Grand Junction, CO 81506

Phone: (970) 245-7950

Fax: (970) 245-0664

Email: faldrich@aldrich-law.com

CERTIFICATE OF SERVICE

I certify that foregoing motion for continuance was served on the following persons via email this 13th day of April 2020:

Jeff Fugate: jeff.fugate@coag.gov

Jeffrey Parsons: wmap@igc.org

Travis Stills: stills@frontier.net

Russ Means: russ.means@state.co.us

Lucas West: lucas.west@state.co.us

Camie Mojar: camille.mojar@state.co.us

s/ Frederick G. Aldrich